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HOUSE OF REPRESENTATIVES

REPT. 99-483
Part 2

PRESIDENT'S REQUEST FOR ASSISTANCE FOR THE NICARAGUAN DEMOCRATIC RESISTANCE

MARCH 11, 1986.—Ordered to be printed

Mr. BARNES, from the Committee on Foreign Affairs, submitted the following

ADVERSE REPORT

together with

ADDITIONAL AND DISSENTING VIEWS

[To accompany H.J. Res. 540 which on February 27, 1986, was referred jointly to the Committee on Appropriations, the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence]

[Including cost estimate of the Congressional Budget Office]

The Committee on Foreign Affairs, to whom was referred the joint resolution (H.J. Res. 540) relating to Central America pursuant to the International Security and Development Cooperation Act of 1985, having considered the same, report unfavorably thereon, and recommend that the joint resolution do not pass.

SUMMARY AND PURPOSE OF THE RESOLUTION

House Joint Resolution 540, if enacted, would approve the additional authority and assistance for the Nicaraguan opposition that the President requested pursuant to the International Security and Development Cooperation Act of 1985.

In summary, the additional authority and assistance that the President requested on February 26, 1986, is as follows:

(1) $100 million in funds already appropriated for the Department of Defense would be available for transfer for use for assistance to the Nicaraguan opposition;

(2) 25 percent of such funds would be available for obligation upon enactment of the resolution, 15 percent would become

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available every 90 days thereafter, and no obligations could be incurred after September 30, 1987;

(3) $3.0 million would be available for continuation of the humanitarian assistance approved in 1985 and, of that amount, $3 million would be used for activities of the Nicaraguan opposition to promote human rights;

(4) in the event of a peaceful settlement of the Central American conflict, any remaining funds would be available for relief, rehabilitation, and reconstruction in Central Amercia;

(5) approval by the Congress of the request would be deemed to satisfy the requirements, terms, and conditions of section 105(a) of the Intelligence Authorization Act of Fiscal Year 1986 and of other statutes specified in the request;

(6) approval by the Congress of the request would be demed to constitute the acceptance of certain undertakings specified in the request: The basis for United States policy toward Nicaragua, United States bilateral discussions with Nicaragua and other U.S. actions in response to specified actions by the Government of Nicaragua, conformity of United States actions with its own self-defense and with international law, and the obligation of the President to report to the Congress every 90 days on actions taken to achieve a resolution of the Central American conflict.

Legislative Background

Under section 722 of the International Security and Development Cooperation Act of 1985, enacted August 8, 1985, the Congress approved the provision of $27 million in economic assistance to the Nicaraguan opposition, to remain available until March 31, 1986. The law provided that the President could, at any subsequent time, submit a request to Congress for further assistance. The law further provided expedited procedures for consideration in the House of a joint resolution approving that request in its entirety if the joint resolution were introduced within 3 legislative days of the submission of the request. Under these procedures, committees to which the resolution is referred must report it within 15 legislative days, after which they are automatically discharged; 5 legislative days after a resolution is reported by all committees to which it is referred (or after the committees are discharged), it is in order for any Member of the House to offer a privileged motion to bring up the resolution for floor consideration. The resolution is not amendable.

Committee Action

House Joint Resolution 540 was introduced on February 27, 1986, by the Honorable Robert H. Michel and the Honorable John P. Murtha, and was referred to the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Appropriations. On March 3, the measure was referred to the Subcommittee on Western Hemisphere Affairs of the Committee on Foreign Affairs. On March 5, the subcommittee heard testimony from an offical of the U.S. General Accounting Office on its review of the implementa-

tion of the $27 million of assistance for the Nicaraguan opposition that was authorized by section 722 of the International Security and Development Cooperation Act of 1985; and from the Assistant Secretary of State for Inter-American Affairs, on behalf of the President's request. Immediately following the hearing, the subcommittee, by a rollcall vote of 8–5, reported the resolution unfavorably to the full committee. On March 6, following a private meeting with the Honorable George P. Shultz, Secretary of State, the Committee on Foreign Affairs met to consider House Joint Resolution 540, and, after rejecting a motion to report the resolution favorably by a rollcall vote of 18–23, approved by voice vote a motion to report the measure unfavorably to the House, thereby recommending rejection of the President's request.*

Committee Position

The committee action in reporting unfavorably the resolution approving the President's request for $100 million in assistance for the Nicaraguan opposition is based on various concerns. As regards assessing the nature of the Sandinista regime and its policies, there is little significant difference of opinion between the administration and the members of the Committee on Foreign Affairs who voted against the $100 million request.

The Nicaraguan revolution united an entire nation against the corrupt and brutal dictatorship of Anastasio Somoza. But in the years since Somoza's fall, unity has been replaced by division, polarization, and armed conflict. At the same time, relations between Nicaraguan and the United States have deteriorated sharply. There are two fundamental issues at stake between Nicaragua and the United States. The first is whether the Sandinista government is prepared to live in peace with its neighbors—whether it will accept and abide by a multilateral agreement addressing all elements of tension in the region—the arms race, foreign military presence, and subversion. The second is whether the Sandinistas are prepared to build a democratic political system that allows for the participation of all significant elements of the Nicaraguan political community.

On the first of these issues, there is no question but that the Nicaraguan Government has contributed to regional tension in Central America. It has channeled assistance to other revolutionary movements, especially the guerrilla movement in El Salvador, and has staged its own rapid military buildup with Cuban and Soviet support. However, within the framework of the Contadora process, Nicaragua has pledged to change such behavior. It agreed to the Contadora Document of Objectives in 1983, the 1984 "Panama Resolution" setting forth principles for implementation, and the 1986 "Carabellada Message Towards Central America's Peace, Stability, and Democracy," all of which cover the full *range of regional* security issues. If Nicaragua will sign and abide by an agreement providing reasonable procedures for verifying compliance, the major

* H.J.Res. 540 was reported unfavorably by the Permanent Select Committee on Intelligence and the Committee on Appropriations and favorably by the Committee on Armed Services.

objections raised by the United States about Nicaraguan foreign policy could be met.

As to its internal policies, the Sandinistas have moved away from pluralism and sought to concentrate the reins of political power in their own hands. The Government of Nicaragua has engaged in intimidation and harassment of religious groups, opposition political parties, trade unions, and the press. The Sandinistas and their principal opponents could not reach agreement on the conditions for the 1984 elections, leading the opposition to boycott them. For this reason, the elections were not a true test of the political will of the Nicaraguan people. Since then, the Sandinistas have reimposed a state of emergency, severely limiting political liberties.

Opponents of the Sandinistas who are willing to find a peaceful solution to the war have a right to participate in the political affairs of their nation, just as the oppositions in El Salvador and Guatemala have such a right. U.S. policy should be the same wherever political debate has deteriorated into armed violence—to promote a peaceful settlement of the conflict, national reconciliation, and the establishment of a democratic political system.

However, where the committee disagrees with the President, and with his latest request for assistance to the Nicaraguan opposition, is in the tactics of how best to promote U.S. objectives toward Nicaragua and to bring about a change in the policies of the Sandinista government. The administration has pursued a policy of hostility and military pressure against Nicaragua, beginning with its launching of the "contra" war. This policy has never had a clearly defined objective. Although the President has said repeatedly that he does not seek the overthrow of the Nicaraguan government and is willing to negotiate with the Sandinistas, there are serious questions whether the administration has pursued diplomacy to the fullest extent possible. Senior administration officials, including the President himself, have implied that the United States cannot live with the Nicaraguan government as presently constituted—a position that virtually rules out any diplomatic solution.

The policy of military pressure has done little to ameliorate the aspects of the Nicaraguan government's behavior that are most troublesome for the United States—its military buildup, its military relations with Cuba and the Soviet Union, its support for insurgencies against its neighbors, and its restrictions on internal freedom. On balance, the policy may have been counterproductive, aggravating these problems rather than helping to solve them, and increasing the danger of war between Nicaragua and its neighbors.

Unilateral military pressure has taken precedence over serious diplomacy, rather than being held as a last resort when diplomatic efforts have been exhausted. As a result, the administration has been unable to garner broad support for its policy among either the American people or our allies. Virtually every important democratic ally of the United States in Latin America and Western Europe has expressed public disagreement with our policy toward Nicaragua.

Certain elements of U.S. policy, such as the mining of Nicaraguan harbors and the unilateral imposition of economic sanctions, have done nothing to change Nicaraguan policy and appear to have caused relatively little difficulty for Nicaragua, but have damaged

relations with our allies because they were undertaken without consultation or regard for existing international commitments under the Charter of the Organization of American States and the Inter-American Treaty of Reciprocal Security Assistance (Rio Treaty). No other nation in the world has joined the U.S. trade embargo against Nicaragua, and some of our allies in Europe continue to provide Nicaragua with economic aid.

The issue of intervention—the historic tendency of the United States to use force unilaterally to control the internal politics of Latin American nations—is the most sensitive issue in inter-American relations. The use of military pressure against Nicaragua entails serious political costs in our relations with the rest of Latin America, including such nations as Mexico, Argentina, and Brazil—each of which by itself is more important to the United States.

It is the view of the committee that the United States should pursue a policy which puts primary emphasis on seeking a political resolution to the turmoil in Nicaragua and Central America. U.S. policy toward Nicaragua should aim at two fundamental objectives: Achieving agreement on the aspects of Nicaragua's behavior that endanger hemispheric security; and encouraging a peacefu3 settlement of Nicaragua's armed conflict, national reconciliation, and democratic political development. Both these goals are important, but progress in one area should not be sacrificed because of a lack of progress in the other.

In July 1985 President Reagan won congressional approval of nonlethal aid for the Nicaraguan opposition. That approval was based in part on the President's pledge that he would resume bilateral negotiation with Nicaragua and that human rights abuses by the Nicaraguan opposition would be halted. The President has an obligation to fulfill these commitments. The committee therefore welcomes the President's appointment of veteran career diplomat Philip Habib as special envoy to Central America "to achieve a diplomatic solution." The committee hopes that this diplomatic approach will be pursued to its fullest potential and expresses its willingness to work with the President and Ambassador Habib to develop a coherent and consistent U.S. policy toward Nicaragua. The committee considers the request for renewed military assistance to the Nicaraguan opposition to be inconsistent with the purpose of the Habib mission and calls on the President to withdraw his pending request.

PRESIDENT'S REQUEST FOR ASSISTANCE TO THE NICARAGUAN OPPOSITION

FEBRUARY 25, 1986.

To the Congress of the United States:

When the Congress approved humanitarian assistance for the Nicaraguan democratic resistance last year, it assured the survival of those fighting for democracy in Nicaragua. However, this assistance has not been sufficient to bring about changes in the policies of the communist Government of Nicaragua that would make possible a peaceful resolution of the conflict in Central America and end Nicaragua's aggression against our allies there.

DETERMINATIONS

Negotiations based on the Contadora Document of Objectives of September 9, 1983, have failed to produce an agreement, and other trade and economic measures have failed to resolve the conflict. At the same time, the legislation for humanitarian assistance is about to expire. If no further action is taken, it is clear that the Nicaraguan communists will steadily intensify their efforts to crush all opposition to their tyranny, consolidating their ability to use Nicaragua, in concert with their Soviet-block patrons, as a base for further intimidating the democratic nations of Central America and spreading subversion and terrorism in our hemisphere.

In these circumstances, the laws providing for humanitarian assistance to the Nicaraguan democratic resistance permit me to request authority to provide additional assistance, and specify expedited procedures for action by the Congress on my request. I am transmitting herewith a formal request for such additional assistance. As required by law, I have consulted with the Congress in formulating this request.

WHY NEGOTIATIONS AND OTHER MEASURES HAVE FAILED

In reports that I transmitted to the Congress in November 1985 and February 1986, I described the continued efforts by the United States to promote a negotiated settlement in Central America and in Nicaragua based on the Contadora Document of Objectives. Our persistent efforts to achieve a peaceful solution have failed to resolve the conflict because Nicaragua has continued to reject meaningful negotiations. Communist attempts to circumvent and subvert Contadora, apparent from the beginning of the negotiating process, have left a clear trail of lost opportunities for peaceful reconciliation. In most recent months, Nicaragua has repeatedly frustrated negotiations aimed at producing a final, comprehensive Contadora treaty.

Recent Contadora meetings to discuss a comprehensive, verifiable regional agreement have been inconclusive largely due to Nicaraguan intransigence on key issues. Following two rounds of talks in October, on November 11, 1985, Nicaragua made public a letter from President Ortega to the Contadora Group and Support Group governments setting forth objections to the September 12, 1985, draft agreement tabled by the Contadora Group governments. Nicaragua argued that it could not assume the obligations of a Contadora agreement unless it reached a prior accommodation with the United States.

On December 3, President Ortega formally requested a suspension in Contadora negotiations until May 1986, that is until after the governments to be elected in Costa Rica, Honduras, and Guatemala will have been installed. Costa Rica, Honduras, and Guatemala, however, joined 25 other OAS member states in voting for a resolution at the OAS General Assembly in Cartagena that urged continuation of the Contadora negotiations. Of all OAS members, only one member—Nicaragua—voted against that resolution. Subsequently, only Nicaragua refused to resume Contadora talks—a major reason why the United Nations General Assembly failed to

achieve consensus on a resolution of support for the Contadora process.

On January 12, the Foreign Ministers of the Contadora Group and Support Group, meeting at Caraballeda, Venezuela, issued a joint statement intended to revitalize the process. The Foreign Ministers of the five Central American states, including Nicaragua, signed the "Declaration of Guatemala" on January 15, endorsing the Caraballeda message. Afterwards, the Government of Nicaragua issued a press communique which, although claiming "total adherence" to the Caraballeda message, characterized the various actions suggested in the Caraballeda message as prerequisites to resumption of Contadora negotiations. This communique also reaffirmed the Nicaraguan position of November 11 objecting to the Contadora draft agreement.

On February 5, President Ortega repeated this position in his speech to the Third Cuban Communist Party Congress in Havana noting that "the peace document that the Contadora Group submitted in September 1985 is unacceptable to Nicaragua."

On February 10, Secretary of State Shultz met with the Foreign Ministers of the Contadora Group and Support Group. The Secretary welcomed the good offices of the two Contadora groups to promote national reconciliation as expressed in the Caraballeda message, and offered to resume bilateral talks with Nicaragua simultaneously with the beginning of Sandinista dialogue with the democratic resistance. Secretary Shultz also informed the Foreign Ministers that the United States was prepared to take further steps in response to changes in Nicaraguan behavior on the four key issues of concern—support of subversion, the Cuban/Soviet presence, the military buildup, and internal repression. He pointed out that a dialogue and ceasefire would mean that cessation of the application of force and the process of national reconciliation would go forward at the same time. My Special Envoy, Ambassador Harry Shlaudeman, began consultation with the Contadora and Support Group governments the week of February 16 on this initiative.

Meanwhile, the Sandinistas have rejected a February 6 proposal from opposition political parties in Nicaragua for suspension of hostilities, an effective general amnesty law for reconciliation of all Nicaraguans, a repeal of the state of emergency, an agreement for the establishment and observance of a new electoral process, effective fulfillment of Nicaragua's commitments for democratization and international assistance in the implementation of these demans. Also, another Contadora negotiating session held February 14–15 was inconclusive because of continued Nicaraguan refusal to address the remaining issues to be resolved in the current Contadora draft agreement.

DESCRIPTION OF REQUEST

The request transmitted herewith asks your approval for the transfer of $100,000,000 from funds already appropriated for the Department of Defense so that those funds would also be available for assistance to the Nicaraguan democratic resistance. I am requesting this transfer authority, in lieu of a supplemental appropriation, because I regard this request as a matter of high priority

for the national security of the United States. Including a proposal for additional funds in this request would have diverted attention from the basic national security issues here involved. However, the resulting reduction in the funds available for the Department of Defense, if not remedied, will inevitably impair ongoing efforts to restore and maintain the readiness of the armed forces. This impairment in defense readiness will be addressed separately.

The $100,000,000 to be made available for assistance to the Nicaraguan democratic resistance would include funds that have been appropriated to remain available for obligation beyond September 30, 1986. Obligations will be made on an incremental basis, with 25 percent available when the request is approved and an additional 15 percent to become available at 90-day intervals as reports are provided to the Congress on actions to achieve a resolution of the conflict in Central America. However, no obligations may be incurred after September 30, 1987.

Of the $100,000,000, $30,000,000 will be for a program of humanitarian assistance administered by the present Nicaraguan Humanitarian Assistance Office, including $3,000,000 exclusively for strengthening the observance and advancement of human rights. This emphasis on human rights reflects a determination that human rights must be respected. As in our support for democracy elsewhere, human rights training and assistance can be expected to achieve significant positive results.

Should a peaceful settlement of the conflict in Central America be achieved during the period these funds remain available, the remaining funds could then be used for assistance to Central American countries, including Nicaragua, for relief, rehabilitation, and reconstruction.

Approval of this request will permit me to use any department or agency in the Executive Branch, including agencies involved in intelligence activities, in carrying out programs and activities to assist the Nicaraguan democratic resistance. The statutory requirements for congressional approval of the use of such agencies, as well as statutes requiring prior authorization for the use of appropriated funds will be satisfied by the approval of my request.

Finally, the request contains a series of undertakings by me, which I am asking the Congress to accept. These undertakings, which were developed in consultations with the Congress, are intended to assure that a clear and explicit understanding exists between the Executive and Legislative Branches as to the purposes of the requested assistance to the Nicaraguan democratic resistance and United States objectives in Central America.

In particular, I am undertaking in this request:

—That United States policy toward Nicaragua will be based on Nicaragua's responsiveness to our well-known concerns about the Government of Nicaragua's close military and security ties to Cuba and the Soviet Union, its military buildup, its unlawful support for subversion and terrorism, its internal repression, and its refusal to negotiate in good faith with its neighbors or its own people;

—That, in addition to support for the democratic resistance, the United States will rely on economic, political and diplomatic measures to address these concerns. In this regard, I am pub-

licly affirming two offers that I have previously made through diplomatic channels in an effort to obtain a peaceful resolution of the conflict. First, we will engage in formal bilateral discussions with the Nicaraguan Government, to commence *simultaneously* with a church-mediated national dialogue in Nicaragua, as has been proposed by the United Nicaraguan Opposition. Second, we will take other positive actions in response to Nicaraguan steps toward meeting our concerns.

In determining how to implement these offers, I will consult with the Congress and will be guided by the observable behavior of the Government of Nicaragua. We will not be satisfied with expressions of intent. But we will respond to changes of behavior in areas such as freedom of the press and religion, reductions of foreign arms and military personnel, respect for a cease-fire, and cessation of support for insurgents and terrorists.

My request affirms that our actions are consistent with our right to defend ourselves and assist our allies, and are directed toward achieving peace based on the Contadora Document of Objectives and a democratic reconciliation in Nicaragua, all without the use of force by the United States. I do not intend to introduce the armed forces of the United States into combat against the Government of Nicaragua, and I affirm that I will not regard approval of my request for assistance as authorizing any such action.

The final undertaking in this request responds to the desire of the Congress to be kept informed about efforts to achieve resolution of the conflict in Central America. I am undertaking to report every ninety days on progress toward a negotiated settlement, as well as on the disbursement of assistance funds and on human rights issues. The continued availability of assistance funds will be contingent upon the receipt by the Congress of these periodic reports.

THE NEED FOR THIS ASSISTANCE

Since the beginning of my first Administration, there has been no foreign policy issue more directly affecting United States national interests than the conflict in Central America, for this conflict challenges not only our strategic position but the very principles which this Nation is founded. We can be justifiably proud of progress in the region to alleviate and ultimately eliminate the causes of that conflict. With strong support from the United States, freedom and democracy, the fundamental pillars of peace, have made dramatic gains. Guatemala, Honduras, and El Salvador have held free and open elections. Costa Rica continues its tradition as a vigorous democratic example. United States economic, political, and military support have strengthened the moderate center in Central America and reversed the tragic polarization on the left and right that threatened to engulf the region in endless violence. As a result, the only president in Central America who wears a military uniform today is Daniel Ortega of Nicaragua. He presides over a repressive regime, armed to the teeth by the Soviets and Cubans, which is the most immediate threat to the progress of its neighbors.

Few now question that the rulers of Nicaragua are deeply committed communists, determined to consolidate their totalitarian communist state. Their long, documented record of brutal repression leaves no room for doubt. Nor can there be any dispute that they seek to export their ideology through terrorism and subversion to neighboring countries. Their neighbors' success in offering democracy as a viable alternative for the people of Central America is a major threat to the system they advocate. The Sandinistas have been constrained principally because they have not yet crushed opposition to their regime at home. The struggle of the Nicaraguan democratic resistance for democracy in their own homeland has provided a shield for democratic progress in other Central American countries. But the Sandinistas, with massive Soviet and Cuban military assistance, have clearly made the elimination of these freedom fighters their number one priority. If they achieve that goal, there will be no remaining obstacle to their efforts to destabilize neighboring states.

Despite this threat to peace, we do not accept that conflagration is inevitable in Central America. The path to peace is clear. The origin of the conflict in Nicaragua is the revolt of the Nicaraguan people themselves against tyranny. A church-mediated dialogue, serious negotiations between the Sandinistas and the external and internal opposition, including the democratic resistance, is the place to begin. The United States strongly supports such negotiations, and we welcome the efforts of the Latin American nations of the Contadora Group and Support Group to promote national reconciliation talks to resolve the Nicaraguan conflict. We will steadfastly support the Contadora process in its efforts to find a solution in Central America that will be the basis for lasting peace. We will also continue to look for flexibility in the Nicaraguan position and are prepared to respond with appropriate measures to encourage them to come to terms with their own people in a democratic framework.

At the same time, we can entertain no illusions that the Sandinistas will enter negotiations on steps to allow legitimate democratic dissent unless democratic forces in Nicaragua can credibly and forcefully assert their right to a voice in Nicaragua's future. The Sandinistas' record of repression of democratic opposition groups leaves little hope that they will willingly follow such a course. They will never embrace open, democratic norms unless confronted with undeniable demands from steadily growing numbers of Nicaraguans prepared to fight for liberty and for their right to participate in their country's political life.

Our experience with the Sandinistas over six and a half years points unmistakably to the need to accompany diplomatic policy with substantial pressure focused on the same objectives. Without power, diplomacy lacks leverage. The Sandinistas will not take meaningful steps toward national reconciliation until they realize that opposition to the consolidation of a Marxist-Leninist regime is too strong to be repressed. Approval of this request will enable the United States to be in a position to provide assistance that permits the resistance to conduct sustained operations in Nicaragua and expand their area of operations. The resistance will be able to incorporate more of the thousands of volunteers waiting to join their

forces but who cannot be accepted for lack of supplies. They will be able to establish a stronger presence among a larger segment of the Nicaraguan population, thus increasing the pressure on the Sandinistas to enter into dialogue with all opposition elements, and to negotiate seriously in the Contadora process.

The cause of the United States in Nicaragua, as in the rest of Central America, is the cause of freedom and ultimately, our own national security.

The Soviet Union and its satellites understand the great stakes in Nicaragua. The Soviets have already made their decision to support the Sandinistas. Cuba's Castro has already made his decision to support the Sandinistas. Libya's Qadhafi has already made his decision to support the Sandinistas saying, we support them, ". . .because they are fighting America at its doorstep. Nicaragua means a great thing; it means fighting America near its borders."

Congress must act decisively to prevent an outcome deeply injurious to the security of our Nation.

If the enemies of democracy thousands of miles away understand the strategic importance of Nicaragua, understand that Nicaragua offers the possibility of destabilizing all Central America, of sending a tidal wave of refugees streaming toward our southern border, and of tying down the United States and weakening our ability to meet our commitments overseas, then we Americans must understand that Nicaragua is a foreign policy question of supreme importance which goes to the heart of our country's freedom and future. With its vote, Congress will make its decision.

Those fighting for freedom in Nicaragua deserve and desperately need our help. The humanitarian assistance approved by the Congress in 1985 has proven insufficient. Cuban and Soviet military aid in the form of training and sophisticated hardware have taken their toll. If the Nicaraguan democratic resistance is to continue its struggle, and if peace, democracy, and security in this hemisphere are to be preserved, the United States must provide what is necessary to carry on the fight. If we fail to help friends in need now, then the price we will pay later will be much higher.

Your approval of the request I am transmitting to you will provide the necessary help. I urge the prompt enactment of a joint resolution expressing that approval.

RONALD REAGAN.

THE WHITE HOUSE, *February 25, 1986.*

REQUEST FOR ADDITIONAL AUTHORITY AND ASSISTANCE FOR THE NICARAGUAN DEMOCRATIC RESISTANCE

Pursuant to the provisions of section 722(p) of the International Security and Development Cooperation Act of 1985 (P.L. 99-83) and section 106(a) of chapter V of the Supplemental Appropriations Act, 1985 (P.L. 99-88), I hereby request that the Congress approve additional authority and assistance for the Nicaraguan democratic resistance, as follows:

(1) That the sum of $100,000,000 appropriated by the Department of Defense Appropriations Act, 1986, as contained in P.L. 99-190, shall be available for transfer by the President to appropriations available for assistance to the Nicaraguan demo-

cratic resistance and shall be available for that purpose, subject to the terms and conditions of this request.

(2) That the funds transferred under paragraph (1) will include funds that have been made available for obligation beyond September 30, 1986, as provided by law: *Provided,* That not more than 25 percent shall be available for obligation upon the enactment of a joint resolution approving this request, and an additional 15 percent shall become available upon submission of each report to the Congress required by paragraph (6)(E) of this request, and no obligations may be incurred after September 30, 1987.

(3) That, of the funds transferred under paragraph (1), $30,000,000 shall be available during the period of availability of those funds for continuation of a program of humanitarian assistance to be administered by the Nicaraguan Humanitarian Assistance Office established by Executive Order 12530, of which at least $3,000,000 will be used exclusively for strengthening programs and activities of the United Nicaraguan Opposition for the observance and advancement of human rights.

(4) That, notwithstanding the proviso contained in paragraph (2) of this request, in the event of a peaceful settlement of the conflict in Central America during the period that the funds transferred under paragraph (1) are available for obligation, any remaining balance of such funds shall then also be available for purposes of relief, rehabilitation, and reconstruction in Central American countries, including Nicaragua, in accordance with the authority of chapter 4 of part II of the Foreign Assistance Act of 1961.

(5) That the approval by the Congress of this request be deemed to satisfy the requirements, terms, and conditions of section 105(a) of the Intelligence Authorization Act for Fiscal Year 1986 (P.L. 99-169) as well as statutory requirements for the authorization of appropriations (including section 10 of P.L. 91-672, section 502 of the National Security Act of 1947, and section 8109 of the Department of Defense Appropriations Act, 1986), subject to—

(A) all applicable provisions of law and established procedures relating to the oversight by the Congress of operations and departments and agencies; and

(B) the further terms and conditions specified in this request.

(6) That the approval by the Congress of this request be deemed to constitute the acceptance of the following undertakings:

(A) United States policy toward Nicaragua shall be based upon Nicaragua's responsiveness to continuing concerns by the United States and Nicaragua's neighbors about—

(i) Nicaragua's close military and security ties to Cuba, the Soviet Union, and its Warsaw Pact allies, including the presence in Nicaragua of military and security personnel from those countries;

(ii) Nicaragua's buildup of military forces in numbers disproportionate to those of its neighbors and

equipped with sophisticated weapons systems and facilities designed to accommodate even more advanced equipment;

(iii) Nicaragua's unlawful support for armed subversion and terrorism directed against the democratically elected governments of other countries;

(iv) Nicaragua's internal repression and lack of opportunity for the exercise of civil and political rights that would allow the people of Nicaragua to have a meaningful voice in determining the policies of their government; and

(v) Nicaragua's refusal to negotiate in good faith for a peaceful resolution of the conflict in Central America based upon the comprehensive implementation of the September 1983 Contadora Document of Objectives and, in particular, its refusal to enter into a church-mediated national dialogue as proposed by the Nicaraguan democratic resistance on March 1, 1985.

(B) The United States will address these concerns through economic, political, and diplomatic measures, as well as through support for the Nicaraguan democratic resistance. In order to assure every opportunity for a peaceful resolution of the conflict, the United States—

(i) will engage in simultaneous bilateral discussions with the Government of Nicaragua with a view toward facilitating progress in achieving a peaceful resolution of the conflict if the Government of Nicaragua engages in a church-medicated national dialogue, as proposed by the United Nicaraguan Opposition; and

(ii) will take other positive actions in response to steps by the Government of Nicaragua toward meeting the concerns described in subparagraph (A).

(C) The duration of bilateral discussions with the Government of Nicaragua and the implementation of additional measures under subparagraph (B) shall be determined, after consultation with the Congress, by reference to Nicaragua's actions in response to the concerns described in subparagraph (A). Particular regard will be paid to whether—

(i) freedom of the press, religion, and assembly are being respected in Nicaragua;

(ii) additional arms and foreign military personnel are no longer being introduced into Nicaragua;

(iii) a cease-fire with the Nicaraguan democratic resistance is being respected; and

(iv) Nicaragua is withholding support for insurgency and terrorism in other countries.

(D) The actions by the United States in response to the concerns described in subparagraph (A), authorized by the approval of this request, are consistent with the right of the United States to defend itself and to assist its allies in accordance with international law and treaties in force. Such actions are directed to achieving a comprehensive and verifiable agreement among the countries of central

America, based upon the 1983 Contadora Document of Objectives, and internal reconciliation within Nicaragua, based upon democratic principles, without the use of force by the United States. The approval of this request shall not be construed as authorizing any member or unit of the armed forces of the United States to engage in combat against the Government of Nicaragua.

(E) The President will transmit a report to the Congress within 90 days after the date of approval of this request, and every 90 days thereafter, on actions taken to achieve a resolution of the conflict in Central America in a manner that meets the concerns described in subparagraph (A). Each such report shall include—

(i) a detailed statement of any progress made in reaching a negotiated settlement, including the willingness of the Nicaraguan democratic resistance and the Government of Nicaragua to negotiate a settlement;

(ii) a detailed accounting of the disbursements made to provide assistance with the funds made available pursuant to paragraph (1); and

(iii) a discussion of alleged human rights violations by the Nicaraguan democratic resistance and the Government of Nicaragua, including a statement of the steps taken by the Nicaraguan democratic resistance to remove from their ranks any individuals who have engaged in human rights abuses.

REQUIRED REPORTS SECTION

COST ESTIMATE

The committee agrees with the projected cost estimate statement provided by the Congressional Budget Office. No additional costs to the Government would be incurred if House Joint Resolution 540 were enacted because the funds have already been appropriated.

INFLATIONARY IMPACT STATEMENT

Enactment of this legislation would have no impact on inflation.

STATEMENTS REQUIRED BY CLAUSE TWO (l)(3) OF HOUSE RULE XI

(a) Oversight findings and recommendations

The committee's recommendation on House Joint Resolution 540 is the result of extensive hearings and oversight activity, including various study missions to Central America, by members and staff of the Committee on Foreign Affairs and its Subcommittee on Western Hemisphere Affairs.

(b) Budget, credit, and spending authority

The enactment of House Joint Resolution 540 would create no new budget, credit or spending authority.

(c) Committee on Government Operations summary

No oversight findings and recommendations which relate to this measure have been received from the Committee on Government Operations under clause 4(c)(2) of House rule X.

(d) Congressional Budget Office cost estimate

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, D.C. March 7, 1986.

Hon. DANTE B. FASCELL,
Chairman, Committee on Foreign Affairs, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.J. Res. 540, a Joint Resolution relating to Central America pursuant to the International Security and Development Act of 1985.

The Committee on Foreign Affairs recommended that the resolution be rejected. This would involve no change to current law and, therefore, federal, state and local governments would incur no costs.

Should the Committee so desire, we would be pleased to provide further details on the cost estimate.

With best wishes,
Sincerely,

RUDOLPH G. PENNER.

ADDITIONAL VIEWS OF HON. STEPHEN J. SOLARZ

Because I was conducting a study mission in the Philippines during the week of March 3rd, I was unable to participate in the Committee debate on U.S. assistance to the anti-Sandinista rebels. Consistent with my past votes on this issue, I voted by proxy to report unfavorably House Joint Resolution 540. I wish to take this opportunity to reiterate my views on why aid to the contras is not in the interests of the United States.

If the Administration's goal regarding Nicaragua is the replacement of the Sandinista regime, as seems to be the case, then arming the contras will not do the job. Their deficiencies in leadership, morale, training, and political support outweigh whatever material aid they may receive. Nor the will the Sandinistas' counter-insurgency capabilities remain constant.

If our objective is to facilitate a Contadora agreement, we must take seriously the entreaties of our friends in Latin America when they say that support for the contras is counterproductive. The Sandinistas have already come a long way in substantive negotiations on the issues of foreign military advisers, foreign military bases, and noninterference in the internal affairs of other countries. It remains to be seen whether they will go all the way to conclude and abide by a verifiable agreement. But they have no incentive to do so as long as the United States is unwilling to engage in serious negotiations on the U.S.-Nicaraguan bilateral relationship through a resumption of the Manzanilla talks. By refusing to negotiate with Managua until the Sandinistas negotiate with the contras, the Administration is stonewalling, pure and simple.

If the Administration's objective in Nicaragua is to promote democracy, then aiding the contras has been and will continue to be a failure. The Sandinista regime is more repressive today than it was five years ago. Our fostering of an insurgency has only strengthened the hand of hard-liners in the Managua regime.

Fresh from its successful handling of the crisis in the Philippines, the Administration is trying to convince people that aiding the contras is the best way to repeat the miracle of Manila on the streets of Managua. To link these two situations, however, is like comparing applies and aardvarks.

Although the Sandinistas win no kudos for their internal policies, the regime which Ferdinand Marcos and his henchmen and cronies most resembles is that of Somoza, whose former lieutenants are now contra officers.

Elections are to be encouraged because they hold a government accountable for its actions. Making the Marcos regime face up to its responsibility for its failed policies was the only way of protecting our central interests—preserving both access to the Clark and Subic bases and friendship with the Filipino people. Our primary

objective vis-a-vis Nicaragua is to erect constraints on Sandinista behavior in the Central American region. The most feasible way of achieving that is for the U.S. to do everything possible to secure a solid, verifiable Contadora agreement. We certainly have an interest as well in promoting democracy in Nicaragua, but that will occur in the context of a reduction of tensions, not their aggravation.

To say that all we want in Nicaragua is an election is to forget that the Philippine election was fundamentally unfair and fraudulently conducted. The only silver lining for the United States in that dark cloud was that the people refused to accept the deceitful Marcos victory and threw the rascals out. It what the proponents of elections in Nicaragua truly want is an end to Sandinista rule, they should be honest and say so. They should also accept the possibility that the Sandinista might in fact win a free and fair election, and, having won, feel no constraint on their policy of exporting revolution.

The central feature of the transfer of power in the Philippines was that it was accomplished nonviolently. Were violence used, President Aquino's government would not have the legitimacy that it does today. The Administration is asking Congress for greater authority to assist a violent struggle against a government which it still recognizes. To associate contra conspiracies with people power is to lend the former a legitimacy it does not deserve and to do the latter a profound injustice.

STEPHEN J. SOLARZ.

DISSENTING VIEWS OF HON. WILLIAM S. BROOMFIELD, HON. ROBERT J. LAGOMARSINO, HON. TOBY ROTH, HON. HENRY J. HYDE, HON. GERALD B.H. SOLOMON, HON. MARK D. SILJANDER, HON. ED ZSCHAU, HON. ROBERT K. DORNAN, HON. CHRISTOPHER H. SMITH, HON. CONNIE MACK, HON. MICHAEL DEWINE, HON. DAN BURTON, HON. JOHN McCAIN

We deeply regret the Committee's vote to report unfavorably the President's request for assistance to the democratic resistance in Nicaragua. We believe that all of us on the Committee share the same objectives for Central America: seeking peace, promoting democracy, stimulating economic development and fostering respect for human rights.

We all agree that the Sandinistas have established a repressive, totalitarian Communist regime in Nicaragua, that they depend heavily on Cuban-Soviet-Eastern bloc support to sustain that regime, that they continue supporting subversion and supplying guerrilla movements in other countries and that they are heavily involved in drug trafficking.

Our disagreement with the majority on this issue results from our differing views on the best means to achieve our objectives in Central America:

1. The Sandinistas should fulfill their promises of democracy, respect for human rights, a mixed economy and non-alignment made to the Nicaraguan people and the OAS in July 1979.

2. They should halt their massive military build-up and restore a military balance to the region.

3. They should sever their military/security ties with the Soviets and Cubans.

4. The Sandinistas should stop supporting subversion and terrorism in neighboring countries.

We agree with the majority that the United States should pursue a policy of negotiations in Central America. We only ask: "How do you get the Sandinistas to negotiate?"

The Reagan Administration has, in fact, been seeking a negotiated solution since August 1981, and the obstacle to negotiations has been the intransigence of the Communist Sandinista regime in Nicaragua. When the Sandinistas have negotiated it has been for their own purposes. A former Sandinista intelligence officer Miguel Bolanos defected from Nicaragua in May 1983. He describes the Sandinista view of negotiations this way:

> We wanted dialogue. The strategy is that we are willing to dialogue to allow more time for clandestine operation. Especially with the U.S. With dialogue, there is more political space that is advantageous to Nicaragua.* * * But dia-

logue is more a political tool than anything else; you can use it as a cover.

Reviewing a chronology of the initiatives to seek a peaceful resolution to the problems we face in our relations with Nicaragua, it becomes obvious the opposition to negotiations comes from the Sandinistas and not from the United States:

CHRONOLOGY OF PEACE INITIATIVES FOR CENTRAL AMERICA

August–October 1981: United States initiates diplomatic exchanges with Nicaragua. U.S. offers bilateral nonaggression agreement and renewed economic assistance and offers to use its influence to encourage Nicaraguan exiles in the U.S. to moderate their behavior if Nicaragua stops aid to Salvadoran guerrillas, gives pluralism a chance and limits its military buildup.

* * * *Nicaragua rejects U.S. offer as "sterile."*

March 15, 1982: Honduras proposes Central American peace plan in the OAS to reduce arms and foreign military advisers, to respect nonintervention, and to provide for international verification of commitments.

April 9, 1982: U.S. offers eight-point proposal to Nicaragua. Nicaragua demands high-level meeting in Mexico.

October 4, 1982: In Costa Rica, seven democratic governments (including U.S.) sign the "Declaration of San Jose" outlining conditions for a regional settlement. Proposal included following:

—Central America should be free of East-West competition. All foreign military advisors and trainers should leave region. Specific reference was made to advisors from Cuba, the U.S.S.R., Bulgaria, East Germany, the PLO and the U.S.

—Central American nations should live without fear, proposing mutual and verifiable accords banning the import of heavy offensive weapons, renouncing the support for insurgency on neighbors' territory and providing for international surveillance of frontiers.

—Establishment of democratic institutions open to opposition elements.

* * * *Nicaragua refuses to receive Costa Rican Foreign Minister as emissary of group.*

January 8, 1983: Contadora declaration issued by Foreign Ministers of Colombia, Mexico, Venezuela and Panama recommending dialogue and negotiation. In order to maximize the chances for Nicaraguan agreement to participate, Contadora suggested the U.S. not participate.

* * * *Nicaragua still not receptive, went instead to UN Security Council claiming it wanted to meet bilaterally with the U.S. and Honduras, not regionally.*

April 1983: Nicaraguan Interior Minister Tomas Borge, in an interview for Cuban television, stresses subjects his country would not negotiate: * * * *Nicaragua would not discuss the principles of the Sandinista revolution; it would not enter into a dialogue about the overall Central American situation; and it would not talk about "counter-revolutionaries."*

April 27, 1983: President Reagan announces appointment of a Special Envoy, former Senator Richard Stone, for Central America

for purpose of facilitating internal dialogue in both El Salvador and Nicaragua.

July 21, 1983: Costa Rica, El Salvador, Guatemala and Honduras propose peace plan drawing on Honduran plan of March 1982 and emphasizing relevance of democratization to peace and stability of region.

July 23, 1983: President Reagan supports Contadora principles in letter to Contadora Group presidents.

September 9, 1983: Contadora Document of Objectives approved by the five Central American states. It sets goals for regional negotiations, including democratic pluralism, national reconciliation, cessation of support to paramilitary forces, arms control, withdrawal of foreign advisers and verification.

October 20, 1983: Nicaragua proposes four treaties to implement six-point peace plan it had originally proposed in July 1983, but * * * *proposals do not address Contadora objectives of democratic national reconciliation, reductions in arms and foreign advisers.*

December 24, 1983: Nicaraguan opposition group "Coordinadora" [which includes Arturo Cruz] issues communique calling for dialogue leading to open elections.

April 22, 1983: Easter pastoral letter of the Nicaraguan bishops calls for dialogue, including talks with the armed resistance.

June 1, 1984: Secretary of State Shultz visits Managua to lannch bilateral talk in support of reaching a comprehensive Contadora agreement.

June 8-9, 1984: Contadora Group submits first draft Contadora agreement to Central American governments for comment.

June 25, 1984: U.S. and Nicaragua begin first of nine rounds of bilateral talks at Manzanillo, Mexico.

September 7, 1984: Contadora Group submits revised draft Contadora agreement.

September 21, 1984: Nicaragua states willingness to sign September 7 draft * * * *on condition that it is approved without modification [September 7 draft does not provide verification or enforcement procedures].*

November 19, 1984: 8th round of Manzanillo talks. U.S. offers bilateral assurances in return for Nicaraguan acceptance of modifications to September 7 Contadora draft.

December 10, 1984: 9th round of Manzanillo talks.

* * * *Nicaragua definitively rejects U.S. proposal; proposes bilateral accords in lieu of Contadora, addressing its security issues only.*

January 18, 1985: U.S. suspends Manzanillo meetings pending further developements in the Contadora process.

February 22, 1985: "Coordinadora" issues statement in Managua calling for church-mediated internal dialogue.

March 1, 1985. Nicaraguan resistance issues document in San Jose, Costa Rica calling for national dialogue and asking for church mediation.

March 22, 1985: Nicaraguan Episcopal Conference issues communique accepting mediation role in dialogue.

April 4, 1985: President Reagan calls on Nicaraguan government to accept dialogue and asks opposition to keep open March 1 peace offer until June 1. Nicaraguan opposition agrees.

* * * *Sandinistas refuse to respond.*

April 11, 1985: Contadora group reaches agreement in principle on revised verification procedures.

May 14, 1985: * * * *Nicaragua reneges on international corps of inspectors for verification which was agreed to in April.*

June 1985: Principal groups of the democratic resistance formed the United Nicaraguan Opposition (UNO).

June 11, 1985: President Reagan sends letter to Representatives McCurdy, Michel and McDade indicating willingness of U.S. to continue bilateral Manzanillo talks if Sandinistas move toward internal dialogue in Nicaragua.

July 26, 1985: Secretary Shultz states U.S. willingness to resume bilateral talks if resumption would promote progress in Contadora and national reconciliation in Nicaragua.

September 12, 1985: Contadora Group presents draft of a final agreement.

October 29, 1985: Special Envoy Shlaudeman tells Nicaraguan Ambassador Tunnermann that the U.S. would resume bilateral talks if the Sandinistas accepted the March 1 offer of the Nicaraguan resistance.

* * * *Nicaragua rejects March offer as totally unacceptable.*

November 11, 1985: * * * *Nicaragua details objections to September 12 Contadora draft agreement. Nicaragua argued it could not accept the Contadora agreement unless it reached a prior accommodation with the United States.*

December 3, 1985: * * * *Nicaragua requests suspension of Contadora peace negotiations until May 1986.*

December 9, 1985: OAS General Assembly votes 25–1 to urge continuation of Contadora talks. * * * *Nicaragua was only member to vote against resolution.*

January 12, 1985: Contadora Group [Mexico, Columbia, Venezuela and Panama] and Contadora Support Group [Argentina, Brazil, Peru and Uruguay] issue communique at Caraballeda, Venezuela stating urgency to giving a renewed thrust to Contadora and heavily emphasizes national reconciliation and promises "new steps" to promote national reconciliation.

January 16, 1985: * * * *Nicaragua describes Caraballeda communique only as prerequisites to Contadora talks and reaffirms November 11 objections to Contadora draft agreement.*

January 17, 1986: Secretary Shultz meets with group, reaffirms strong U.S. support for Contadora peace effort and repeats U.S. belief that Nicaragua's behavior and failure to keep its word is the heart of the problem. U.S. Special Envoy Shlaudeman will be sent to explore possibilities in Caraballeda message in visit to region.

January 22, 1986: The United Nicaraguan Opposition (UNO) [contras] issues statement of principles and objectives of a Provisional Government of National Reconciliation which expresses UNO's commitment to peace, democracy, observance of human rights, and promotion of social justice.

February 5, 1986: * * * *Nicaragua repeats objections to September 1985 Contadora draft agreement in Ortega speech before Third Cuban Communist Party Congress in Cuba.*

February 6, 1986: Opposition political parties in Nicaragua propose suspension of hostilities, general amnesty, repeal of the state of emergency, agreement for new election, fulfillment of Sandinista

commitments for democratization and international assistance in implementing proposals. * * * *Nicaragua rejects proposal.*

February 10, 1986: Secretary Shultz meets with Foreign Ministers of Contadora Group and Support Group and offers to resume bilateral talks with Nicaragua *simultaneously* with the beginning of a Sandinista dialogue with the democratic resistance.

*February 14–15, 1986: * * * Nicaragua refuses to address remaining issues to be resolved in current Contadora draft agreement during Contadora negotiating session.*

An initiative by President Duarte the first week of March to resume his dialogue with the guerrillas in El Salvador if the Sandinistas will begin a dialogue with the democratic resistance in Nicaragua puts the burden of proof on the Sandinistas to show they are truly interested in negotiations. Moreover, if the Sandinistas would sit down with the democratic resistance, the United States has said it would simultaneously resume bilateral talks with the Sandinistas. The first reaction to this proposal reportedly has been a rejection by the Salvadoran guerrillas.

NICARAGUAN EXPORT OF REVOLUTION

The relationship between the Communist Sandinistas in Nicaragua and the Communist guerrillas in El Salvador has been known from the beginning. That relationship forced President Carter to cut off economic assistance to Nicaragua before he left office. In May 1983, the House Permanent Select Committee on Intelligence, a majority of whom were Democrats opposed to the Reagan Administration policy in Central America, issued a report stating the Salvadoran insurgency * * *

> depends for its lifeblood—arms, ammunition, financing, logistics, and command-and-control facilities—upon outside assistance from Nicaragua and Cuba. This Nicaraguan Cuban contribution to the Salvadoran insurgency is longstanding. It began shortly after the overthrow of Somoza in July 1979. It has provided—by land, sea, and air—the great bulk of the military equipment and support received by the insurgents.

The capture in Honduras in December of ammunition, grenades, communications and encryption material being sent from Managua to Salvadoran guerrillas in a Soviet-made Lada automobile is the "smoking gun," or in this case the "smoking Lada," critics have said they need to believe the Sandinistas are aiding guerrillas in other countries. The Sandinistas have also been aiding the M–19 guerrillas in Colombia. In the November assault on the Supreme Court in Bogota, with a loss of more than 100 lives, weapons used by the M–19 were traced through serial numbers to the Sandinistas in Nicaragua.

BACKGROUND ON DEMOCRATIC RESISTANCE MILITARY LEADERS

Critics of the Administration policy charge the democratic resistance is nothing more than followers of Somoza trying to regain their power and prestige. Studying the identities of the leaders of the democratic resistance, both political and military, shows other-

wise. The three leaders of the United Nicaraguan Opposition (UNO) are Adolfo Calero, Arturo Cruz and Alfonso Robelo. All three were opponents of Somoza, and both Robelo and Cruz were part of the initial Sandinista government after it took over in Nicaragua. Their disillusionment with the failure of the Sandinistas to live up to their promises compelled them to oppose the Communist dictators who were controlling Nicaragua.

The military leaders of the democratic resistance come from a broad range of experience. It is incorrect to call them all "former National Guardsmen for Somoza." The following tables show the backgrounds of the military leaders:

Prior occupations of senior FDN military leaders

[FDN: Nicaraguan Democratic Force]

Civilian professionals or urban employees 39, peasants or small farms 34, students 5	78
Military National Guard 41—Officers 23, soldiers 18; Sandinista army, militia or security services 30—officers 8, soldiers 22	71
No information available	4
Total	153

Prior occupations of FDN regional commanders

Sandinista soldiers	6
National Guard soldiers	2
National Guard officer	7
Peasants or small farmers	2
Civilian medical doctor	1
Evangelical pastor	1
Student	1
Total	14

Prior occupations of commanders of FDN task forces or equivalent commands

Peasants or small farmers	19
National Guard (officers 5, soldiers 9)	14
Sandinista Army or Militia (officers 4, soldiers 9)	13
Medical student	1
No information	4
Vacant	1
Total	52

Charges by critics of prior association with the Somoza regime somehow seem to taint only the democratic resistance. No such charges are heard against the former Somoza National Guardsmen who are serving in the Sandinista military. It is also difficult to understand why critics complain about past associations in the democratic resistance, while no such complaints are heard about Philippine President Aquino's Defense Minister and Chief of Staff who both served in the same capacity under President Marcos.

SOVIET SUPPORT FOR THE COMMUNIST SANDINISTAS

The Sandinistas alignment with the Soviet Union and Cuba is not a result of United States actions. The Sandinistas began its military buildup, close ties with Cuba and the Soviet bloc, export of subversion and repression of the opposition while the United States was providing nearly $120 million in bilateral aid to Nicaragua and hundreds of millions more through multilateral institutions. Ap-

proximately 200 Soviet and East European advisers serve in Nicaragua along with some 50 Libyan and PLO personnel. Cuban military and security personnel number 2,500 to 3,000 and play significant roles in every phase of the Sandinista government. The Soviet Union alone has provided almost $500 million in arms since 1979 to the Sandinistas.

Opponents of the President's request charge that the Soviets will only "up the ante" in their support for the Sandinistas if the U.S. increases its support for the democratic resistance. However, it was after U.S. funding for the democratic resistance expired in May 1984 that the Soviets sent their most sophisticated helicopter (HIND MI-24) gunships in the fall of 1984. Cuban pilots have been flying those helicopters and others, as evidenced by the loss of a helicopter in December with the death of 14, including the two Cuban pilots.

Last April, after the House of Representatives rejected aid to the democratic resistance, Sandinista President Daniel Ortega went to Moscow. A number of members of the House were embarrassed by Ortega's action. It should have been no surprise. He has been going to Moscow and Havana for years. As a matter of fact, Ortega was in Havana when the Committee rejected the President's request, and another of the nine *comandantes* Bayardo Arce was in Moscow. Apparently, they are sufficiently confident the request will be defeated by the Congress that they do not have to worry about embarrassing anyone this year.

SANDINISTA REPRESSION

On October 15, 1985, Daniel Ortega announced a new State of Emergency suspending virtually all civil liberties in Nicaragua. The new decree suspended the following rights and freedoms:

* * * Freedom of expression
* * * Freedom of the press
* * * The right of assembly
* * * The right to trial by jury
* * * The right to be considered innocent until proven guilty
* * * The right to *habeas corpus*
* * * Freedom from arbitrary imprisonment
* * * Freedom of movement
* * * The right to found and advance community, rural and professional organizations
* * * The right to found and advance cooperatives

The right to a jury, the right to an attorney and the right to *habeas corpus* were considered to still be in effect, but only for those not accused of crimes against "the security of the nation and public order." The decision on determining that rests with the Sandinista authorities and ordinary political and civic activities have been placed in that prohibited category.

With the State of Emergency, religious persecution increased in Nicaragua. Efforts were made to interfere with people wishing to attend masses celebrated by Cardinal Obando y Bravo, evangelical workers, ministers and priests were interrogated and warned to avoid "political statements," and foreign priests were threatened with expulsion. On January 1 of this year, the Catholic radio sta-

tion was closed by the Sandinistas. On January 9, it was discovered that evangelical minister Juan Pablo Pineda had been murdered by the Sandinistas in October 1985.

The Catholic Church in Nicaragua, led by Cardinal Obando y Bravo, has been the leading opposition force to the Sandinista regime in Nicaragua. Its calls for internal reconciliation and its efforts to mediate an internal dialogue have been rejected repeatedly by the Communist Sandinistas in Nicaragua.

SUPPORT THE PRESIDENT'S REQUEST

If the issue at hand were only a matter of an authoritarian government dealing with internal unrest, leaving the resolution of the problem to the Latin Americans alone might be possible. But, adding the force of the Soviet Union to the weight of the Sandinistas makes the challenge greater than the Latins alone can meet. The democratic resistance in Nicaragua exerts a pressure on the Sandinistas to negotiate that no other force can bring to bear.

In this regard, we are reminded of the point our colleague, Stephen J. Solarz, made last year while successfully arguing for aid to the Cambodian Contras:

> * * * there is no way the non-communist resistance is ever going to force Vietnam out. That's clearly impossible. But what is possible is that an increasingly effective resistance, by increasing the price Vietnam has to pay for their occupation of Cambodia, might induce the Vietnamese to agree to a political settlement.

The President's request for assistance to the democratic resistance ensures that a viable force remains to counter the Sandinistas efforts to entrench the Soviet presence on the American mainland. By supporting the President's request, we are not simply giving money away, we are investing in the security of our country.

We are helping assure the survival in Central America of the values upon which this nation was founded. Despite Nicaraguan support for terrorists and subversion, democracy has made amazing progress in Central America with the strong support of the United States. The free and democratically-elected governments of El Salvador, Guatemala, Honduras and Costa Rica will be jeopardized if the Sandinistas are permitted to consolidate an aggressive Marxist-Leninist regime.

Fighting Communism and preserving democracy should not be determined by a double standard. It makes no sense to be supporting freedom fighters in Afghanistan and Cambodia but not in Nicaragua. It makes no sense to support the democratic process in the Philippines and not in Nicaragua. It makes no sense to demand internal reconciliation and dialogue in El Salvaor but not in Nicaragua.

The Administration and those of us in the Congress who support it share the objective of seeking a negotiated settlement to the conflict in Central America. The Contadora Document of 21 objectives calls for national reconciliation in Nicaragua. The United States supports it. Contadora supports it. The Catholic Church in Nicaragua supports it. The democratic resistance in Nicaragua supports

it. Only the Sandinistas reject it. If we want the Sandinistas to negotiate, then we must not remove the incentives for them to do so. If we fail to provide aid to the democratic resistance, the Sandinistas will have no reason to negotiate because they will no longer have to worry about opposition. They will have eliminated it all.

We urge you to support both the cause of peace in Central America and the security interests of the United States by voting in favor of President Reagan's request for military and humanitarian assistance for the democratic resistance in Nicaragua.

BILL BROOMFIELD.
ROBERT K. DORNAN.
HENRY J. HYDE.
DAN BURTON.
MIKE DEWINE.
ED ZSCHAU.
CHRIS SMITH.
ROBERT J. LAGOMARSINO.
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CONNIE MACK.

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